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Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: Advisory Board on Disarmament Matters

Work of the Advisory Board on Disarmament Matters

Report of the Secretary-General

Summary

The Advisory Board on Disarmament Matters held its thirty-second and thirty-third sessions at Geneva from 20 to 22 January 1999 and in New York from 28 to 30 June 1999, respectively.

The Board formulated advice and recommendations to the Secretary-General on topical disarmament and arms control issues: (a) the situation of the United Nations Special Commission; (b) conventional disarmament in Europe; (c) disarmament contributions to African security; (d) tactical nuclear weapons; (e) a ban on the production of fissile material for weapons purposes; (f) biological weapons; (g) missile defences; and (h) the situation in the Democratic People's Republic of Korea. A summary of the Board's discussions is included in the present report.

The Board made a recommendation to the Secretary-General on the improvements of the language of its 1982 mandate, with which the Secretary-General concurred and forwards to the General Assembly for approval.

The Board also held a focused discussion away from Headquarters on 1 and 2 July 1999 on disarmament and international security in the twenty-first century, as a contribution to the report under preparation by the Secretary-General for the Millennium Summit in September 2000. The summary of that discussion was forwarded to the Secretary-General directly and is not included in the present report.

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As is customary, the Board met with representatives of the Special NGO Committee on Disarmament (Geneva) at its thirty-second session and of the Special NGO Committee on Disarmament (New York) at its thirty-third session.

The work of the Board in its capacity as Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR) is contained in a separate report to the General Assembly (A/54/201).

I. Introduction

1. The Advisory Board on Disarmament Matters* held its thirty-second and thirty-third sessions at Geneva, from 20 to 22 January 1999, and in New York, from 28 to 30 June 1999, respectively. This present report is submitted pursuant to Assembly resolution 38/183 O of 20 December 1983. The report of the Board on its work as Board of Trustees for the United Nations Institute for Disarmament Research (UNIDIR) has been presented in a separate document (A/54/201). The Board's sessions were chaired by Thérèse Delpech, Director for Strategic Affairs of the Atomic Energy Commission (Paris).

2. Below are some of the salient points of the Board's deliberations during the two sessions and the specific recommendations it conveyed to the Secretary-General.

3. The Board also held a focused discussion away from Headquarters on 1 and 2 July and presented its views on disarmament and international security in the twenty-first century in a separate communication from the Chairman to the Secretary-General to assist him in the preparation of his report to the Millennium Summit in September 2000.

A. The situation of the United Nations Special Commission

4. The Board held an animated discussion on the work of the United Nations Special Commission (UNSCOM) in Iraq based on an informal paper prepared by the Executive Chairman of the Commission, Ambassador Rolf Ekéus, underlining several points for the attention of the Secretary-General. Recognizing that, owing to exceptional circumstances, Iraq was the subject of a unique sanctions regime established under chapter VII of the Charter of the United Nations, the Board nevertheless stressed the importance of ridding Iraq of its weapons of mass destruction; of Iraq's full compliance with relevant Security Council resolutions; and the grave regional and international consequences of Iraq's persistent non-compliance.

5. The Board was not in a position to assess the extent of what remained concealed in the field of weapons of mass destruction, but the fact that the actual biological and chemical Iraq programme did not correspond to Iraqi declarations or to the findings of the inspectors was not challenged.

6. The Board underlined that unilateral actions should be avoided by all parties concerned and that Iraq's decision not to comply with the Security Council resolutions was the first regrettable unilateral step.

7. A broad majority of members considered that a change was now necessary as to make it possible to resume effective verification activities in Iraq. Agreement on the exact nature and scope of this change was nonetheless lacking. Some general guidelines for any future regime were put forward by the Board: it should preserve the basic hard-earned, well-established operations of the system put in place in 1991; it should enjoy wide international support; and it should find the means to renew cooperation with Iraq. Some members questioned the system whereby inspectors were paid by their own Governments.

B. Conventional disarmament in Europe

8. The Board heard and exchanged views on a discussion paper by Jane Sharp, Senior Research Fellow at the Centre for Defence Studies in London, on the possibilities of using the Treaty on Conventional Armed Forces in Europe as a model for disarmament and confidence- and security-building measures in other regions. While the Board acknowledged that regional security patterns were always unique and that no model could be copied for that reason, it nonetheless believed that general conclusions could be drawn from the successes and failures of other regional efforts. More than a model, the Organization for Security and Cooperation in Europe (OSCE) process could be a source of inspiration to other regions in the field of conventional disarmament.

9. That was particularly the case because the OSCE process had begun in the context of the most impressive political, ideological and military confrontation known in human history, with a large part of Europe occupied by Soviet forces and a high level of distrust on both sides.

10. Important features of the disarmament/confidence and security-building measures aspects of the OSCE process could be built upon, including the possibility of reducing the likelihood of large-scale attack; the importance of transparency measures concerning the size and operational practices of the military forces; the role confidence and security-building measures could play in the improvement of the political process; and the necessary adaptation of the Treaty on Conventional Armed Forces in Europe to changing conditions.

* Members of the Advisory Board on Disarmament Matters are listed in the annex to the present document.

11. The Board discussed the possible inspirations drawn from the OSCE process that could be applied in the Mediterranean region and the Middle East, the Korean Peninsula, the Asia-Pacific region and South Asia. One of the main lessons of the peace and security process in Europe, it was stated, was its comprehensiveness, in that it involves political, economic and military dimensions.

C. Disarmament contributions to African security

12. Cognizant of the fact that conflicts on the African continent were of major concern to the United Nations and the Secretary-General, the Board also debated how disarmament was contributing to security in Africa. Rokiatou N'diaye Keita, Director of the International Institute for Peace and Security in Bamako, presented an informal paper on the subject, which underlined, *inter alia*, the necessity of the support of the international community for the moratorium on the import and export of small arms in West Africa.

13. The Board agreed that the great variety of conflicts in Africa deserved a broad range of analyses. The frequent combination of inter-State conflicts and heightened tensions that threaten the internal cohesion of the States concerned presented a particularly difficult situation. Efficient mechanisms to prevent, manage or solve those conflicts were lacking.

14. From that perspective, the few successful processes, such as the moratorium in West Africa, were particularly valuable experiences, though the Board entertained no illusions about the validity of this initiative to deal with the numerous and tragic security problems of the region.

15. A greater emphasis was called for on the supply side of weapons transfers. Additional studies within the United Nations system on this subject were suggested. The suppliers of small arms pay more attention in cases where the recipients exercise some form of control over the weapons they receive. Support was also expressed for joint customs cooperation, joint surveillance of border traffic and the sharing of information and data.

16. The "security-first" approach (security integrated with development and the main objective of disarmament) was recognized as a useful conceptual contribution to African security. Such a global vision was felt necessary in order for the Board to make more substantial recommendations.

D. Tactical nuclear weapons

17. At its January session, the Board discussed the issue of tactical (sub-strategic) nuclear weapons, based on an informal paper by William Potter, Director of the Center for Non-proliferation Studies in Monterey, California, who also updated the Board on developments related to these types of weapons in June, suggesting several ways to raise the level of knowledge about this problem (see below). In its exchange, the Board took the following four elements into account: the current deadlock concerning disarmament of strategic nuclear weapons made it all the more important and timely to discuss tactical nuclear weapons; such weapons were still not being addressed by any negotiating process; they were present in large numbers; and they posed specific problems in terms of the doctrines concerning their use. For those reasons, the Board conveyed to the Secretary-General the need for increased international attention to this issue.

18. As there was no agreed definition of such weapons outside the United States-Russian Federation context, it would be necessary to reach agreement on a definition of tactical nuclear weapons if disarmament discussions or negotiations were extended to additional States.

19. In dealing with tactical nuclear weapons, a number of approaches could be examined: transparency measures concerning the number or location of deployed or non-deployed weapons; a freeze in the deployment of all the available weapons; a formalization of the 1991 unilateral United States and Russian declarations; some additional unilateral actions by the United States and the Russian Federation.

20. While recognizing that the issue was essentially one which involved only the United States and the Russian Federation, the Board underlined that discussions should include the other nuclear-weapon States, taking into account their particular situations.

21. The possibility of introducing some form of confidence-building measures in South Asia dealing with these weapons was raised. The relevance of the subject to the Central Asian nuclear-weapons-free zone was also underlined, in that it might preclude the introduction of tactical nuclear weapons in the region.

22. In June, Mr. Potter expressed special concern over the highly secretive meeting of the Russian Security Council on 29 April 1999, at which it appeared to analysts that a decision at the highest level had been taken to develop short-range nuclear weapons. The Russian military exercises in June 1999 had also placed emphasis on tactical nuclear forces. Pending the outcome of the elections in the Russian

Federation, it was possible that the Government could rescind its unilateral declarations of 1991 made in parallel with the United States with respect to the reduction of tactical nuclear weapons. Mr. Potter thus proposed several ways to raise the level of awareness of the issue of tactical nuclear weapons: a motion could be taken up by the General Assembly at its fifty-fourth session for the convening of an expert panel or group on sub-strategic nuclear weapons; the Department for Disarmament Affairs could sponsor an expert group on the issue that would report through the Secretary-General to the General Assembly; or the United Nations Institute for Disarmament Research could be commissioned to carry out a study. The Board did not take a position on any of these suggestions, but the Institute had included such a project in its programme of work for 2000.

E. Ban on the production of fissile material for weapons purposes

23. At its first session, based on an informal paper by Harald Müller, Director of the Peace Research Institute in Frankfurt, Germany, the Board stressed that, even though a ban on the production of fissile material for weapons purposes would not end with the dismantling of any nuclear warheads, it would nonetheless be an important achievement in the disarmament field. The Board emphasized that a convention would significantly contribute to the implementation of the "principles and objectives" decision agreed upon at the 1995 Review and Extension Conference of the Parties to the treaty on the Non-Proliferation of Nuclear Weapons (NPT Treaty). It would have an effect on the separation of the civilian and military production cycles, would generate more transparency concerning fissile material stocks and would lessen the current discrepancy between nuclear-weapon and non-nuclear-weapon States.

24. The Board stressed that it was essential to keep the regional dimension in mind, in particular to assess the main difficulties the negotiations would have to face in the coming years (East Asia, the Middle East and South Asia all pose specific problems in that regard). The five nuclear-weapon States were not in the same situation themselves, owing to the very different quantities of nuclear material each had accumulated. Countries such as the Russian Federation and China have integrated civilian and military production cycles, posing specific problems for the future verification regime.

25. It was emphasized that the transfer of fissile materials from the military to the civilian sectors should be an irreversible process. Furthermore, two views of the verification regime (broad and narrow) could be contemplated. They have both political, non-proliferation and financial implications.

F. Biological weapons

26. Two informal papers by Peter Goosen, Director for Non-Proliferation and Disarmament of the Department of Foreign Affairs of South Africa, and Hanan Bar-On, Senior Adviser at the Weizmann, Institute of Science in Rehovot, Israel, set the stage for the Board's discussions on the subject of biological weapons.

27. The extent of the coming threat concerning deliberate disease was a subject of much debate. On the one hand, in twentieth century warfare, biological weapons have hardly ever been employed, making any assessment of their potency or military utility speculative. On the other, new trends, among them common features shared by biotechnology and the information industry, both geographically widespread, could open new avenues to the military use of biological weapons.

28. On the eve of the twenty-first century, heightened vigilance might be prudent for the following reasons: there have been revelations of major clandestine biological weapons programmes; available expertise resulting from a possible brain drain from Russia; easy concealment of such weapons; advances in science and technology solving some of the most difficult problems encountered so far (safe stockpiling, dispersal and protection of one's own troops and civilian populations); and finally, the use of biological weapons by a State or a non-State actor on an unprotected civilian population, agriculture and livestock, which has the potential to produce a major disaster.

29. The challenges of creating a verification regime were clearly perceived: the dual use nature of biological research and agents; the small size of laboratories; difficulties in differentiation between defensive and offensive research and development; and natural epidemics from a biological weapons attack. Detection methods, however, are also improving in a field where early detection was essential.

30. Taking those challenges into account, the need to set up a verification regime was not questioned. It would constitute a significant improvement over the current situation; it would help build confidence and allay baseless allegations; and it would make the production of biological weapons a more complex undertaking. The participation of industry, which had been so decisive in the success of the Convention on Chemical Weapons, was underlined.

31. Additional measures could usefully supplement the future verification regime, including a code of conduct for scientists and criminalization of the threat or use of biological weapons.

32. Finally, concerning terrorist activities using biological weapons, although the issue should not be overdramatized, and though the probability that biological weapons would be used in a terrorist attack appears today to be rather low, it is nevertheless true that only one successful terrorist attack using such weapons could have devastating consequences. This combination (low probability/high risk) justifies some concern, especially in a world where violence seems to be on the increase.

G. Missile defences

33. Using as a starting point an informal paper presented by Miguel Marín Bosch, Consul General of Mexico in Barcelona, the Board examined the possible consequences on the disarmament agenda of the complex issue of missile defences.

34. The Board viewed the issue of missile defence as an old issue dressed in new clothes. Early designs for a missile defence system emerged in the 1950s. The 1972 Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems permitted the deployment of missile defences at two sites, one of which could be at the national capital. In 1976, the United States and the Soviet Union agreed to modify the treaty to limit each side to one site. In 1995, the two sides agreed to new treaty interpretations designed to permit the development of theatre missile defence within the terms of the existing treaty. The new strategic situation was central to the current issue, since the projected development of ballistic missile defence in the United States was likely to increase the already growing imbalance between the United States and the Russian Federation.

35. The trend towards ballistic missile defence would be difficult to reverse because the political support in the United States for its development was considerable; large investments had already been made and committed to further research and development; and the Anti-Ballistic Missile Treaty was often perceived as an obsolete arms control agreement preventing the protection of the territory of the United States. This should not prevent States from clearly indicating to the United States the possible complications for international security and disarmament that may result from the introduction of ballistic missile defence.

36. The development of ballistic missile defence could have substantial consequences for arms control: it would further threaten strategic stability; defences would stimulate offensive counteractions and undermine incentives to reduce offensive arms; and the unilateral introduction of ballistic missile defence risked replacing multilateral arms control agreements. If the major powers do not rapidly become involved in discussions of long-term strategic relationships, taking into account the impact of ballistic missile defence on the evolving offense/defence equation and future arms reductions, a new arms race is likely to appear at the beginning of the next century.

37. Realistic ways should also be explored to control and reduce missile proliferation, since it could only lead more States to consider the utility of missile defences. The missile technology control regime does not fulfil the expected role of curbing missile proliferation in a significant way. The Board queried whether an international treaty was now required, but reached no agreement. The multilateralization of the 1987 Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles (INF Treaty) would ban an entire category of missiles, but the proposal was not accepted either. To curtail an unfettered missile arms race was still one of the most difficult tasks facing the arms control agenda today.

38. Regional security concerns should also be acknowledged and taken into account. In particular, missile proliferation may increase the perceived need for missile defences in some countries. The solutions adopted at the tactical level, however, should contribute to regional and international peace and stability.

H. Situation in Democratic People's Republic of Korea

39. On the basis of two informal papers prepared by Sverre Lodgaard, Director of the Norwegian Institute for International Relations in Oslo, and Yoshitomo Tanaka, President of Radiopress, Inc. in Tokyo, the Board held a pointed discussion about the situation in the Democratic People's Republic of Korea.

40. The Board agreed that the Democratic People's Republic of Korea was a unique case of an extremely isolated country, whose policies remained opaque, allowing all types of interpretations. No country was actually in a position to say whether the country was bent on acquisition of weapons of mass destruction, including nuclear weapons,

or was pursuing a "compensation for crisis" policy. The two scenarios had significantly different consequences.

41. The concern expressed at the regional level, notably in Japan, was an indication of how potentially disruptive the situation in the Democratic People's Republic of Korea could be on regional security and how far-reaching were the potential international security implications.

42. The programmes to develop weapons of mass destruction in the Democratic People's Republic of Korea were not known with precision. The nuclear situation and the country's intentions were still unclear and the country was not party to multilateral agreements on chemical and biological weapons. What was clear, nonetheless, was the steady progress being made in the development of delivery vehicles and ballistic missiles.

43. The Board shared the unanimous view that the Democratic People's Republic of Korea should meet all its obligations under the NPT Treaty and vis à vis the International Atomic Energy Agency (IAEA). There was widespread support for the full implementation of the Agreed Framework between the United States and the Democratic People's Republic of Korea, including recent efforts to include the subject of missile development. In addition, wide support was expressed for the Korean Peninsula Energy Development Organization (KEDO). The more the implementation of the Agreed Framework was delayed (reactor construction was picking up very slowly), the more safeguards compliance would also be delayed. The Board supported all efforts at multilateral dialogue in the region, involving all the parties concerned.

II. Improved functioning and mandate of the Board

44. Carrying forward the Board's discussion begun in June 1998, Ambassador André Erdös, the representative of the Republic of Hungary, proposed that the language of the formal mandate of the Board, adopted in 1982,[1] be readjusted to reflect its actual functions as they have been performed for more than a decade. The thrust of the amendment would be to emphasize the Board's proactive advisory role on disarmament matters over its role to advise on various aspects of studies and research. Its function to serve as the Board of Trustees for UNIDIR would remain unchanged. It would also retain its role of advising on the implementation of the Disarmament Information Programme, though the Board believed that function needed to be more thoroughly reviewed in future.

45. The proposed mandate would read as follows:

"(a) To advise the Secretary-General on matters within the area of arms limitation and disarmament, including on studies and research under the auspices of the United Nations or institutions within the United Nations system;

"(b) To serve as the Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR);

"(c) To advise the Secretary-General on the implementation of the United Nations Disarmament Information Programme."

46. I endorse the above recommendation of the Board and recommend that the General Assembly approve the change of language in the mandate to reflect the current practice of the Board.

III. Discussion with members of the Special NGO Committees on Disarmament in Geneva and New York.

47. At the Geneva session in January, the Board invited three representatives from the non-governmental organizations community active in the field of disarmament affairs to address the role of civil society in achieving disarmament, nuclear and biological issues and small arms. At the New York meeting in June, Ambassador Jonathan Dean of the Union of Concerned Scientists presented for discussion a paper entitled "Global Action to Prevent War: A Coalition-Building Effort to Stop War, Genocide and Other Forms of Deadly Conflict".[2] The paper presented a comprehensive project addressing all aspects of organized violence, uniting the challenges of poverty reduction, human rights violations, environmental destruction and discrimination based on race, gender, ethnicity, religion and the violent expressions of conflict.

IV. Future work

48. As at the June session of the Advisory Board, discussion of substantive items was limited to one per day and this initiative was welcomed by all members who agreed that the practice should be continued. The Board also reiterated its conviction that it would be useful, from time

to time, to receive briefings by recognized high-level experts on specific questions.

49. The following issues were suggested for the agenda of future meetings:

(a) Small arms (in view of the international conference on illicit trafficking in small arms and light weapons in 2001);

(b) Nuclear disarmament issues;

(c) Information security;

(d) Education as a disarmament tool;

(e) Terrorism using weapons of mass destruction;

(f) Revolution in military affairs.

Notes

[1] Pursuant to section III of General Assembly resolution 37/99 K of 13 December 1982, the Advisory Board on Disarmament Matters has the following functions:

(a) To advise the Secretary-General on various aspects of studies and research in the area of arms limitation and disarmament carried out under the auspices of the United Nations or institutions within the United Nations system, in particular on the integration of a programme of such studies with a comprehensive programme of disarmament, once this had been established;

(b) To serve as the Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR);

(c) To advise the Secretary-General on the implementation of the United Nations Disarmament Information Programme;

(d) At the specific invitation of the Secretary-General, to provide him with advice on other matters within the area of disarmament and arms limitation.

[2] Mr. Dean, together with Ms. Randall Forsberg of the Centre for Defence Studies and Mr. Sol Mendlowitz of Rutgers University, authored the Global Action Plan.

Annex

Members of the Advisory Board on Disarmament Matters

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Notes

[a] Participated in the thirty-second session, 20–22 January 1999.

[b] Participated in the thirty-third session, 28–30 June 1999.